G. R. S. 58]

Previous references.

File No. 108-16

1916

(Local Bds)

Serial Nos. 1—3

Later references.

LB 59-168 1-3 B. Nov 1916
" 108-158 4+5 B Dec 1916
108-17 8 6

Reserve
N

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—3

Part B for August 1916

SUBJECT.

Proposal to invest the District Funds of the Chitaldrug District in the Bank of Mysore, and to invest the Collection of Railway Cess in the Bank of Mysore or any other Securities.

G.O. No. 1403 - 11 R. 18. 8. 16.

States that the investment of Dt Funds in the Mysore Bank is inadmissible under the existing Local Boards rules, that separate action will be taken to amend the regulations suitably; and that the proposals to invest the Dt Funds in other Securities, may be placed before the Dt Bds concerned and their resolutions submitted to Govt for orders, with certain other information

W D 1351—GPB—20,000—13-12-15

M K Jareer
30/8/16

G. R. S. 11] 1915-16

GENERAL AND REVENUE SECRETARIAT.

(LB.)

NOTES.

File No. 108 15

FILE HEADING.

Investment of the realizations on the Levy of Railway Cess in the Mysore Bank & Elsewhere

From

The Deputy Commissioner, Chitaldrug

No. 416 Dated 19. Feb 1916 Received 25.2.16

Diary No. 3143	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Reports that the District Board have resolved to invest in the Mysore Bank a sum of Rs 30000 out of their large closing balance at their credit and suggests that a sum of Rs 40000 may be invested in the Mysore Bank as a fixed deposit for one year and the balance of Rs 10000 utilized for purchasing debenture bonds relating to the ~~water~~ Chitaldrug town water supply Scheme.

NOTES AND ORDERS.

The Chitaldrug District Board want about 9 lakhs ~~for~~ of rupees for financing the proposed railway line from Chickjajur to Chitaldrug and from the proposals received in this connection it

NOTES—First Sheet.

GPB—20,006—8-8-14

(2)

G. R. S. 12]

General and Revenue Secretariat. LB File No. 108 of 191 S.—16

Serial No.

is seen that a loan has to be raised for financing the Railway project. In case a loan is raised the DLPD will require funds to bear interest charges etc. Further Capital money invested in the debenture bonds relating to the Chitaldrug water supply can not be realized till 15 years elapse after the Bonds. But in view of the circumstance that it will take some time before the railway project is actually put on hand it may not be objectionable to invest the entire surplus money for a short period of one year. Submit for orders whether the Dy Comm may be informed that the sum of Rs 9000 may be deposited in the Mysore Bank for a period not exceeding one year.

Money can be sold in the meantime if necessary Ans

KP
29/2/16.

(2) (1/3/16) Draft sanct[d] the proposal, the investment in Govt debentures to be done after approval by the Board

KP
8/3

Ans
1/3

(3) Draft putup for approval.

KP.
2/3/16

T. 34.

Ans
6/3

4/3 Noted

NOTE—Contn. sheet.

GPB—70,000—17-12-15

(3)

G. R. S. 12]

General and Revenue Secretariat. | LB File No. 108 of 1915-16

Serial No. (3)

The investment has to be permitted under Clause (3) of Sec^n 20 of the L.B. Regulations and the terms of this clause have to be Carefully Construed. Have Govt permitted to deposit in a Bank in any other Case? Bv II may also be Counted as this involves the "Construction of a financial provision or rule"

Not yet in the case of a St. Board

8/3

6/3/16

Asst. 7/3

NOTE—Contn. sheet.

GPB—70,000—17-12-15

1837

2640

G. R. S. 12]

General and Revenue Secretariat. | LB File No. 108 of 1915-16

Serial No.

5) Subd
The Kolar District Board have with the previous sanction of Govt invested a heavy sum in the Government of India Securities. May this be forwarded to Br II
KP 7.3.16
Br II) 8/3
8/3

6) Subd
BM 9/3
L.B. 236-14 may be put up. It is necessary to know why Govt reserved orders on the question of allowing the Board to keep the Cess collected in a Bank. The wording in the Municipal Regn admits of investments in Banks but not the wording of the Local Boards Regulation. Until the Statute of the Regulation is amended investment in Banks does not seem to be authorised.
Resubmit after getting it
BM
Br IV
KP 10/3

7) Subd
KP 10/3
11/3
Br II
11/3
BM 17/3

8) The collection throws no light on the point. The L.B. Regulation seems to require to be altered before investment in a Bank can be allowed.
KP 16/3
Br IV. KP 21/3
20/3

C. w. o. No. 1837 of 15
Resubmitted with the Collection Obtained from the Bkg Sectt.
KP 16/3
Br II

NOTE—Contn. sheet removed

GPS—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat.

L.S. File No. 108 of 1915-16

Serial No. (9) Submitted with the Opinion of Br II.

It is doubtful if the words 'such other securities as the Govt may, from time to time, approve in this behalf' occurring in clause (3) of Section 20 of the L.B. Regln can be interpreted to mean and include Banks bonds. The word 'Securities' means bond Certificates of Stocks and the like, as evidence of debt or property. The Govt Advocate may be consulted if necessary.

KP
21/3/16

G.O. No. 176 of 1915 dt. 22.3.16. (10) Forwarded unofficially to the Govt Advocate for his Comments in favour of Opinion.

Bgoode
By Secretary
Govt
22/3/16
Rev Dept.

G.O. 46 of 15-16 (11) When a Statute in express terms prescribes the mode of investment it will be illegal to vary it. Under Sec 20 (3) of the Local Boards Regulation the Surplus funds may be invested

NOTE—Contn. sheet.

C.P.P. 70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | LR File No. 108 of 1915-16

Serial No.

with the previous sanction of the Govt Either in Govt of India Securities or such other securities as the Govt may approve in this behalf. If "fixed deposit" in the Bank of Mysore is approved by the Govt as a Security for purposes of the Local Boards' Regulation there can be no legal objection to the investment proposed by the D.C. Com^r. The only question therefore for consideration is Whether a "fixed deposit" in a Bank is a "Security" within the meaning of that term as used in the Local Boards Regulation. Speaking generally a "Security" is anything that makes the money more assured in its payment or more readily recoverable. But the definition of it varies according to the enactment in which it is used or defined. In many other acts in force in Mysore we have the definition of it given in the Succession

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

LB File No. 108 of 191 S. 16

Serial No.

Certificate Reg: VII of 1901, Sec 3(2) Even that definition exhaustive as it appears to be does not include a fixed deposit in a Bank. (Cf I.L.R 28 All 477) No definition of 'Security' is given in the General Clauses Reg: - In the Local Boards Reg: "Other Securities" used in Sec 20(3) has in my opinion to be interpreted as Securities "Ejusdem generis" with the Securities particularly mentioned in the Section and in this view also a fixed deposit in the Bank does not appear to be a Security "Ejusdem generis" with the Govt of India Securities (2) In these circumstances unless power is Expressly given as is done in the case of Municipal Funds in Sec 53(1) of the Municipal Reg: VII of 1906 the investment proposed will not be Strictly legal

K^ 29/3

27.3.16 S Doraiswamy for AG

NOTE—Contn. sheet.

GPB—70,000—17-12-15

8

G. R. S. 11] 1915. 3297

GENERAL AND REVENUE SECRETARIAT.

(L.B)

NOTES. 108

File No. 15-

FILE HEADING.

Investment of the Railway Cess

From

The President, District Board, Tumkur Dist.

No. 433/S Dated 7.3.1916 Received 10.3.1916

Diary No.	3297	Enclos. 1	Spare Copies.	Serial No. 2

BRIEF ABSTRACT OF LETTER.

Requests sanction under Sec 20(3) of the L.B Regn for investing the Collections under Railway Cess in the Bank of Mysore or other Securities until such time as it is required by the D.B.B.D for expenditure in connection with the Survey of Railways in the District

NOTES AND ORDERS.

L.B 108-15-1

The opinion of the Govt Advocate, and orders of Govt on the resolution of the Chitaldrug D.B.B.D to invest Rs 50,000/- as fixed deposit in the Mysore Bank may be awaited.

HMK 49 Min 2 Ys Hm 24/3

22.3.1916 2/3

B 23/3

Hm

NOTES—First Sheet.

92

3297

G. R., S. 12]

General and Revenue Secretariat.

LB File No. 108 of 1915.

Serial No.	
	3 This letter has been included in the preamble to the draft order proposed on the reference received from the Chief Draftsman.

D3143

LB 108-15-1

HK 4/8

5-4-1916.

Yours
7/5

G. R. S. 12]

General and Revenue Secretariat.

LB File No. 108 of 1915-16

3143 & 3257

Serial No.

(13) Submitted with the opinion of the Govt Advocate

May the Deputy Comm be informed that the existing provisions of the L.B. Regln do not allow of investment of Dt funds in Banks ~~[illegible]~~

WP 29.3.16 JG Redraft permitting only the investment in Muni debentures after Dt Board approve.

WP 4/4 Bc 3/4 Hon 4/4

L I s 34

(15) Draft put up as directed.

Is the Executive Council's Vinty please

attended to Bc.

WP 5.4.16. Bc 6/4 Recd Hon 7/4

203/10.4.16

(16) WP 8/4/16

(Mr Members & Dr Brown)

Hon 8/4

(17) If the Govt view is correct. It seems necessary to amend the R.L.D. Act. Such a provision has been omitted in the Lty Amendment drawn up for the Madras Act

WP 11/4/16

Hon 11.4 12/4

S2.199 13.4.16

(18) Circ. the File Secy upon to such an amendment? I am in favour of an early amendment of the Regn of Stamps as no financial objection

8.7.16 do

WK 8/7/16

NOTE—Contn. sheet.

GPB—70,000—17-12-15

(9)(W)

3143

G. R. S. 12]

General and Revenue Secretariat.

File No. 608 of 1916

Serial No.

H.E.C.O. No "8.7.16"

Bor II

8/7/16

Sub?

Bor 10.7.16 (19) There appears to be no financial objn to the ~~D.B~~ Local Boards Regulation being altered so as to permit investments in fixed deposits at Daulle. Approved by Govt Resd. 10/7

(20) No objn provided (a) ~~that~~ that Govt sanctions the investment and (b) it is made in a Bank approved by Govt does not make the Govt liable for any possible losses

this Law should allow the provincial only to

(c) I think also that Banks within the State only should be approved & that for the present only the Mysore Bank should be approved

Bor IV

Reader 15.7.16.

(21) Subd for orders

There appears to be no difficulty as regards points (a) & (c). The Regulation already provides for those. The amendment proposed as well as the point whether any liability attaches to the Govt for any possible losses due to the orders of Govt are matters to be further considered in Bor. III

17/7/16

GPB—70,000—17/12-15

I. R. S. 12]

3143

General and Revenue Secretariat.

LB File No. 108 of 191 5.

Serial No. (22) It may be observed that the Mysore Municipal Regn of 1906 does not contain any proviso as suggested in (b) of Fin[l] Secy's note.

J. Dis 115 of 16

for III

LB
18/7-16

(23) Subd. for orders

LB
21/7/16

(24) Nis not clear on what points the opinion of this Branch is required. The necessary amendments may be made providing for all the safeguards referred to in the Financial Secretary's note.

LB
22/7

for IV)
Subd

LB
29/7

KB
22.7.16

(25) Draft

LB
26/7-16

BE
25/7

(26) Draft portup for approval.

KB
28/7

(27) After issue, the file with approved, be sent to for III for further action in the matter of amending the L.B. Regn

BE
30/7

(28) Refer. - Decision under dy 8.7.16 page 7 of these notes.

LB
1/8-16

Revised.)

NOTE—Contn. sheet.

GPB—70,000—17-12-15

3143

G. R. S. 121

General and Revenue Secretariat. | L.B File No. 108 of 1915.

Serial No.		
	(29) The Financial Secretary has no objection to amend the L. Board's Regulations suitably & necessary action may be taken in the Legislative Section – meanwhile the Draft proposed may be approved (by the Member Devan)	HH 2.8.1916
99 3.8		
839 8.8.16	(30) Approved Amendment will be taken up along with the P.S. Scheme	HH 3.8.1916
		HB 7/8/16
	Draft may issue and further action taken as suggested by the First Member. 14.8.16 RO	HH 14/8/1916
		HB 15/8/16
3	G.O. No. 1403-11 dt. 18.8.16 states that the investment of St funds in the Mysore Bank is inadmissible, that seperate action will be taken to amend the Regn suitably. and that the proposals to invest St funds in other securities may be placed before the St Bds concerned and subd to Govt for orders with certain other information.	

NOTE—Contn. sheet.

GPB—70,000—17-12-15

D 3143

Office of the Deputy Commissioner,
Chitaldrug District.
Dated Chitaldrug, 19th February 1916.

From

DB 008-15-1

C. S. Balasundaram Iyer Esquire B.A.,
Deputy Commissioner,
C h i t a l d r u

To

V. R. Thyagaraja Iyer Esquire M.A.,
Secretary to the Government of
H. H. the Maharaja of Mysore,
Revenue Department, Bangalore.

S I R,

Adverting to Government order No.10498-50/L.B.236-14 dated 22nd June 1915 directing that the question of investing the Railway cess in Banks may be dealt with separately, I have the honor to state that according to the same Government order the Railway cess has to be levied from the commencement of the official year 1915-16. and needful orders have been issued for the collection of the cess.

The amount of one anna local cess comes to Rs 63092 and half of this viz about Rs 30000 will be collected as Railway cess by the end of February 1916 as the latter cess has to be levied at ½ anna per rupee on all items of Land Revenue which now contribute towards the one anna Local cess. Including the realisations from the railway cess the District Board have estimated the closing balance at the end of of the official year 1915-16 at Rs 91001 (vide the Budget estimates for 1916-17 submitted with this office letter No. 421 dated 23rd February 1916 and they have resolved that out of the large balance at its credit a sum of Rs 50000 be withdrawn and invested in the Mysore Bank. (A copy of the resolution is enclosed

In modification of this resolution I am of opinion that Rs 40000 may be invested in the Mysore Bank as a fixed deposit for a period of one year and for the balance of Rs 10000/- Chitaldrug water supply debenture bonds may be purchased as the purchase of these bonds by the District Board will not only go to encourage the outside public to go in for shares but also fetch to the Board greater interest viz 6 p.c.

I request therefore that orders of Government may be obtained to the investment of Rs 50000 as detailed above subject to the approval of the District Board at its next meeting.

I have the honor to be

S I R,

Your most obedient servant,

C S Balasundaram

Deputy Commissioner

Chitaldrug District.

S.V.

XIX. Read Government order No.10498-50/L.B.236-14 dated 22nd June 1915 directing that the question of investing Railway cess in Banks may be dealt with separately.

Resolution:- That a sum of about Rs 50000 out of the closing balance may be invested in the Mysore Bank as fixed deposits partly for 6 months and partly for 1 year.

(Sd) C. S. Balasundaram Iyer,
President, District Board,

"C O P Y."

C S Balasundaram
Deputy Commissioner,
Chitaldrug District.

S.V.

Proceedings of the meeting of the Chitaldrug District Boar
held at Chitaldrug on [illegible] the [illegible] 191[illegible]

Present:- C. S. Subbarao [illegible] Iyer Esquire B.A., President.

Official Members.

1. Mr. [illegible] ..., B.A., Deputy Commissi
& Vice President.
2. Mr. [illegible]
3. Mr. [illegible]
4. [illegible]
5. Mr. [illegible]
6. Mr. M. G. Samuel, District [illegible]
7. Mr. M. Narayana Rao B.A.,B.L., District Inspector of Education.

Non-Official Members.

1. Mr. Kariyanna, Patel.
2. Mr. Channaviraiya.
3. Mr. Shanbhog Subbanna.
4. Mr. Bhari Sanna Thippeswami.
5. Mr. Gundappa.
6. Mr. D. Ramanna.
7. Mr. H. V. Gopalaiya.
8. Mr. Gowda Nagappa.
9. Mr. Settara Papanna.
10. Mr. P. Shadaksharappa.
11. Mr. Jodidar Shamachar.
12. Mr. Gurusidlappa.
13. Mr. Lmantha Chetti.
14. Mr. Sanna Thippaiya.
15. Mr. Narain Chetti.
16. Mr. Onkarappa.
17. Mr. Settara Pommanna.
18. Mr. Abdul Razak.

The Amildars of all the Taluk[illegible]

Haribar Sub Taluk [illegible]e present.

D 3297

Office of the President.
District Board. Tumkur District
Dated, 7th March 1916.

L.B 108-15-2

From

Nagar Subba Rao, Esq., B.A.,
Offg: Deputy Commissioner & President,
District Board,
Tumkur District.

To

V.R. Thyagaraja Iyer, Esq., M.A.,
Secretary to the Government of His Highness the
Maharaja of Mysore, Revenue Department, Bangalore.

Sir,

I have the honor to state that the District Board at the meeting held on the 19th ~~instant~~ ultimo have resolved that the collection under Railway cess may be invested in the Bank of Mysore or other securities until such time as it is required by the Board for expenditure in connection with the opening of Railways in the District. Copy of the resolution of the Board in the matter is enclosed for perusal.

I request that sanction to the Board's proposal may be kindly accorded under section 20 (3) of the ~~Mysore~~ Local Boards Regulation.

I have the honor to be
Sir,
Your most obedient servant,

Offg: Deputy Commissioner-President.

2 1918

G.R.S. 28]

15/8

B

Investment of D.Fs in the Mysore bank and other Securities

File No. 108/15

Serial No. 3

Diary No. of letter replied to 3145

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

(LB)

Paper under disposal 191

Date of issue 19.3.16

Signed by Mr B. Subbarau

Paper under disposal in the linked file

READ—

Letter no 416 dated the 19th February 1916 from the Deputy Commr Chitaldrug Dt, in the matter of investing District Funds in the Mysore Bank and in the Debentures of the Chitaldrug Town water Supply.

2) Letter no. 433/S dated 7th March 1916 from the President Dt Bd. Tumkur Dt applying for Sanction to invest

over.

SUBJECT.

GPB—50,000—1-12-12

59-10/1716

the Collections under Railway cess
in the Bank of Illpore or other
Securities until such time as the
money ~~may be~~ is required for
Opening railways in the District

Order. 1403-11 dt 15-3-15-3

The investment of District
Funds in the Illpore Bank ~~is~~ to
~~not be sanctioned as~~ inadmissible under
clause 3 of
Sec 20 of the L.B. Regulation II of 1902
~~does not authorise such investment~~

2) Separate action will be taken
to amend the Regulation hereafter

(3) The proposals to invest District
Funds in other securities may
be placed before the District
Boards concerned and their resolutions
forwarded for orders with
information as to the amounts
proposed to be invested, and the
periods for which the investments
will be made.

HC 2/8

~~Secy~~ Secy to Govt
Rev Depts

To ~~the~~ Collectors of the Chitaldroog and Bellary Dts
& ~~—~~ of other Districts for information
Comptroller.